



## REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY BY THE ASSIGNEE

I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I am authorized to act on behalf of the following company: Siemens Fuel

The title of my position with said company is: Gasification Technology GmbH

The entire title to the patent identified below is vested in said company.

Name of Patentee(s): Helmut PEISE, Manfred SCHINGNITZ, Dietmar DEGENKOLB

Patent Number: 5,968,212

Date of Patent Issued: October 19, 1999

Title of Invention: Apparatus for Gasification of Combustion and Waste Materials  
Containing Carbon and Ash

I believe said patentee(s) to be the original, first and sole or joint inventor(s) of the subject matter, which is described and claimed, in said patent, for which a reissue patent is sought on the invention entitled

### APPARATUS FOR GASIFICATION OF COMBUSTION AND WASTE MATERIALS CONTAINING CARBON AND ASH

the specification of which is attached hereto and amended by the attached amendment.

I hereby state that I reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to below.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application:

Country: Germany  
Appl. No.: 196 43 258.8  
Filed: October 19, 1996

I verily believe the original patent to be wholly or partly inoperative or invalid, by reasons of translation error.

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At least one error upon which reissue is based is described as follows:

There was a translation error made when translating the original priority application. The term "Flugstrom vergaser" was incorrectly translated as "fluidized-bed reactor" when it should have been "entrained-flow gasification reactor". The term "gasification reactor" is already in the specification at line 18 of column 3 and is supported in the title. The prosecution history, references cited by the Examiner, and the Figs. 1, 2, 3 of the original application unequivocally establish that an entrained-flow gasification reactor was claimed and prosecuted in spite of the use of the incorrect "fluidized-bed reactor". Thus, the present reissue only corrects this error in terminology.

Furthermore, independent claim 1 is amended to incorporate the limitations of dependent claim 4 and to clarify that the refractory lining extends "downward in a direction parallel to sidewalls of said reactor chamber over said cooling wall in an area of said second part of said reaction chamber including an area of said lower floor, such that said refractory-grade lining and said cooling wall are joined in an overlapping fashion to compensate for different heat expansions". The amendment clarifies the arrangement of the refractory lining to differentiate the claimed invention from U.S. Patent 5,464,592 (Brooker et al.) which was cited by the Examiner.

All errors corrected in this reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the applicant.

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Customer number 27799

Address all telephone calls to Alfred W. Froeblich, Esq. at telephone No. (212) 687-2770.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Person Signing (given name, family name):

Signature:

*Philip Schieritz*

Title of Position:

SCHIERITZ  
MANAGING DIRECTOR

*Philip*  
SCHIERITZ  
MANAGING DIRECTOR

Dated:

Month/Day/Year

*April/09/2008*